

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JOSHUA L. BARRICKS,

Plaintiff,

v.

JAMES R. WRIGHT,

Defendants.

Civil Action No.: 7:23-cv-00551

**PLAINTIFF'S OBJECTIONS AND RESPONSES TO DEFENDANT'S FIRST
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

Plaintiff Joshua L. Barricks, by counsel, states as follows for his Objections and Responses to Defendant's First Interrogatories and Requests for Production of Documents:

1. State your full name, residence addresses since January 1, 2015, your date and place of birth, your social security number, your driver's license number, all names by which you have been known and the reasons for the name changes, and list all email addresses and social media accounts.

OBJECTION: Plaintiff objects to this request to the extent it calls for Plaintiff's full Social Security Number because such information is not relevant to any party's claims or defenses.

ANSWER: Subject to, and without waiving, the foregoing objection(s), Plaintiff states as follows:

Full Name: Joshua Lair Barricks

Residence Addresses Since January 1, 2015:

Current Address:

Dillwyn Correctional Center

Plaintiff reserves the right to supplement this response should additional non-privileged, non-objectionable, responsive information be identified.

12. If you claim excessive force, identify each police officer directly involved, and with respect to each, list each act that constituted excessive force, the implements of force used and by whom, why you believe the force was excessive, and what amount of force you contend would have been reasonable and appropriate under the circumstances.

ANSWER: Please refer to my Amended Complaint. Defendant engaged in excessive force by slamming my body to the concrete floor, pushing my head into the floor, placing his knee in my back, and punching me in the face at least twelve times. Defendant would have engaged in reasonable force if he had handcuffed me once I kneeled to the ground and put my hands up. At that point, I was surrendering to police custody, and I was not resisting arrest. Defendant's excessive force is shown on video by Farm & Fuel's surveillance footage (BARRICKS_00126) and Defendant's bodycam video (BARRICKS_00093 to BARRICKS_00094).

Plaintiff reserves the right to supplement this response should additional non-privileged, non-objectionable, responsive information be identified.

13. Specify any violation, motor vehicle, or criminal charges brought or threatened against you in connection with the events which form the basis of your complaint, including whether, when and where they were presented to a grand jury, whether, when and in what court the charges were heard and their disposition, i.e., whether nol prossed, a guilty plea, a trial and finding of guilty, and any sentence and fine imposed.

ANSWER: It is my understanding that at least the following charges were brought against me with an alleged offense date of March 30, 2022:

- 1. Violation of Virginia Code § 46.2-932 – Nolle prosecuted by the Alleghany General District Court on August 8, 2022;**
- 2. Violation of Virginia Code § 18.2-460(E) – Nolle prosecuted by the Alleghany General District Court on August 8, 2022;**
- 3. Violation of Virginia Code § 18.2-460 – Found guilty by the Alleghany General District Court on August 8, 2022; and**

4. Violation of Virginia Code § 18.2-388 – Nolle prosecuted by the Alleghany General District Court on August 8, 2022.

A 12 month sentence with 12 months suspended was imposed for the violation of Virginia Code § 18.2-460.

Plaintiff reserves the right to supplement this response should additional non-privileged, non-objectionable, responsive information be identified.

14. If you contend that any police officer who was not on the scene of the incident, any other public official, or a municipal policy, custom, practice, or procedure caused or contributed to cause your injuries, identify each decision, act or omission that you allege fixes liability; each decisionmaker involved; and the law, regulation, directive, practice or procedure that was employed in derogation of your rights.

ANSWER: I am not contending that any law enforcement officer or policy, custom, practice, or procedure caused or contributed to my injuries, other than Defendant's unconstitutional detention and unreasonable use of force.

Plaintiff reserves the right to supplement this response should additional non-privileged, non-objectionable, responsive information be identified.

15. If you claim a third party (i. e., not an employee of or the municipal law enforcement agency) caused or contributed to cause your injuries, detail the acts or omissions that third party committed, and, if suit was brought, state its status, and, if suit was not brought, the reasons therefor.

ANSWER: I do not claim a third party caused or contributed to my injuries. Defendant's unconstitutional detention and unreasonable use of force caused my injuries.

Plaintiff reserves the right to supplement this response should additional non-privileged, non-objectionable, responsive information be identified.

16. Provide a complete medical history subsequent to the incident, including any hospitalizations, injuries, and illnesses that you do not relate to the incident; a description of the injuries you did receive in the incident; the diagnostic tests given, where

JOSHUA L. BARRICKS

By: /s/ Jared A. Tuck
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was emailed on January 11, 2024 to:

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